

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NATIONSTAR MORTGAGE
LLC ,

Plaintiff,

v.

PATRICK JOSEPH SORIA, et
al.,

Defendants.

CV 18-3041 DSF (RAOx)

Order Denying Ex Parte
Application for Temporary
Restraining Order

While the allegations made in the complaint and ex parte application are of the type that, if supported, would likely lead the Court to issue a temporary restraining order, Plaintiff's argument and evidence have failed to substantiate the allegations adequately. Specifically, the Court has very little evidence from which to conclude that the assignments to Defendants were fraudulent forgeries. The Court is given a declaration from an employee of Plaintiff that states, based on review of unspecified records, that Plaintiff has never assigned or otherwise transferred any interest in the loans in question. The Court needs more foundation for this conclusion, broken out by loan, before it will find that Plaintiff has established a strong likelihood of success on the merits. For example, the Court needs to know what Plaintiff's records show about assignments and other transfers and how those records have been interpreted to conclude that the transfers are fraudulent. Plaintiff also asserts that the signature stamps on

the purported assignments are forgeries – “lifted” in the words of Plaintiff. But the Court is never told on what basis this allegation is made or how the Court should determine that the purported stamps are not genuine.

Therefore, the ex parte application is DENIED without prejudice to a renewed and improved evidentiary showing.

IT IS SO ORDERED.

Date: 4/13/18



Dale S. Fischer
United States District Judge